

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES' MOTION FOR MODIFICATION OF SCHEDULING ORDER

COMES NOW the United States of America, by and through Louis V. Franklin, Sr., Acting United States Attorney for the Middle District of Alabama, and Andrew C. Lourie, Acting Chief of the Public Integrity Section of the Criminal Division of the United States Department of Justice, and hereby files its Motion for Modification of Scheduling Order (hereinafter, the “Motion”).

The United States has been given a deadline of February 27, 2006, to file a response to Defendants Roberts's and Scrushy's various pre-trial Motions and a deadline of March 6, 2006, to file a response to Defendant Siegelman's various pre-trial Motions.

In the interest of judicial economy, the United States is simultaneously filing responses to Defendants Siegelman's, Scrushy's, and Roberts's Motions on February 27, 2006.

Accordingly, the United States moves this Court to amend its Scheduling Order to reflect the early filing on behalf of the United States and to require Defendant Siegelman to file his replies to the government's responses on March 6, 2006 – the same date for the

replies of Defendants Scrushy and Roberts and the original date for the replies of all Defendants. See Scheduling Order (Jan. 23, 2006), Doc. 103. This modification would not prejudice Defendant Siegelman in any way and would provide Defendant Siegelman the same amount of time afforded to Defendants Roberts and Scrushy to reply to the United States' Responses.

In addition, such a modification would prevent the Court from having to review, in the future, multiple responses from the United States to motions by Defendants that essentially plead the same issues simply because Defendant Siegelman would have a different filing deadline than the other Defendants.

Respectfully submitted this the 27th day of February, 2006,

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**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)
)
 v.)) CRIMINAL NO. 2:05-CR-119-F
)
 DON EUGENE SIEGELMAN,)
 PAUL MICHAEL HAMRICK,)
 GARY MACK ROBERTS, and)
 RICHARD M. SCRUSHY)

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

Respectfully submitted,

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